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4 FANNY SABY,
5 Plaintiff,
6 v.
7 LYCEE FRANCAIS DE SAN
8 FRANCISCO,
9 Defendant.

10 Case No. [3:22-cv-05385-JSC](#)

11 **ORDER DISMISSING CASE**

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13 By Order filed May 16, 2023, the Court granted Defendant's motion to compel arbitration
14 and stayed the case pending resolution of the arbitration. (Dkt. No. 31.) The Court also directed
15 Defendant to provide a written update on the arbitration's status by May 17, 2024. Defendant did
16 so, and reported as of May 17, 2024, Plaintiff had not initiated arbitration and recent attempts to
17 contact Plaintiff's counsel had been unsuccessful as the phone number of record for Plaintiff's
18 counsel was disconnected. (Dkt. No. 32.)

19 On May 21, 2024, the Court ordered Plaintiff to show cause why this action should not be
20 dismissed without prejudice due to Plaintiff's failure to prosecute the action, *see Fed. R. Civ. P.*
21 41(b); *Link v. Wabash R. Co.*, 370 U.S. 626, 633 (1962) (holding "a District Court may dismiss a
22 complaint for failure to prosecute" based on the court's own inherent authority), and ordered
23 Plaintiff to respond by May 31, 2024. (Dkt. No. 33.) Plaintiff has not responded. Accordingly,
24 the case is DISMISSED WITHOUT PREJUDICE.

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1 **IT IS SO ORDERED.**

2 Dated: June 3, 2024

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6 JACQUELINE SCOTT CORLEY
7 United States District Judge

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United States District Court
Northern District of California